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The role of diamonds in fuelling conflict

Armenia, Barbados, Benin, Botswana, Brazil, Canada, China, Côte d'Ivoire, Ghana, Israel, Italy, Japan, Lesotho, Liberia, Namibia, Russian Federation, Sierra Leone, Thailand and Zimbabwe: draft resolution

The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts

The General Assembly,

Recognizing that the trade in conflict diamonds continues to be a matter of serious international concern, which can be directly linked to the fuelling of armed conflict, the activities of rebel movements aimed at undermining or overthrowing legitimate Governments and the illicit traffic in and proliferation of armaments, especially small arms and light weapons,

Recognizing also the devastating impact of conflicts fuelled by the trade in conflict diamonds on the peace, safety and security of people in affected countries, and the systematic and gross human rights violations that have been perpetrated in such conflicts,

Noting the negative impact of such conflicts on regional stability and the obligations placed upon States by the Charter of the United Nations regarding the maintenance of international peace and security,

Recognizing, therefore, that continued action to curb the trade in conflict diamonds is imperative,

Recalling that the elimination of illicit diamonds from legitimate trade is the primary objective of the Kimberley Process,

Bearing in mind the positive benefits of the legitimate diamond trade to producing countries, and underlining the need for continued international action to prevent the problem of conflict diamonds from negatively affecting the trade in legitimate diamonds, which makes a critical contribution to the economies of many of the producing, exporting and importing States, especially developing States,

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Noting that the vast majority of rough diamonds produced in the world are from legitimate sources,

Recalling the Charter of the United Nations and all the relevant resolutions of the Security Council related to conflict diamonds, and determined to contribute to and support the implementation of the measures provided for in those resolutions,

Recalling also Security Council resolution 1459 (2003) of 28 January 2003, in which the Council strongly supported the Kimberley Process Certification Scheme[1] as a valuable contribution against trafficking in conflict diamonds,

Welcoming the important contribution of the Kimberley Process, which was initiated by African diamond-producing countries,

Noting with satisfaction that the implementation of the Kimberley Process Certification Scheme continues to have a positive impact in reducing the opportunity for conflict diamonds to play a role in fuelling armed conflict and would help to protect legitimate trade and ensure the effective implementation of the relevant resolutions on trade in conflict diamonds,

Recalling its resolutions 55/56 of 1 December 2000, 56/263 of 13 March 2002, 57/302 of 15 April 2003, 58/290 of 14 April 2004, 59/144 of 15 December 2004 and 60/182 of 20 December 2005, in which it called for the development and implementation as well as a periodic review of proposals for a simple, effective and pragmatic international certification scheme for rough diamonds,

Welcoming, in this regard, the implementation of the Kimberley Process Certification Scheme in such a way as not to impede the legitimate trade in diamonds or impose an undue burden on Governments or industry, particularly smaller producers, nor hinder the development of the diamond industry,

Welcoming also the decision of forty-seven Kimberley Process participants, representing seventy-one countries, including the twenty-five members of the European Union represented by the European Commission, to address the problem of conflict diamonds by participating in the Kimberley Process and implementing the Kimberley Process Certification Scheme,

Welcoming further the important contributions made and that continue to be made by the diamond industry, in particular the World Diamond Council, as well as civil society, to assist international efforts in stopping the trade in conflict diamonds,

Welcoming the voluntary self-regulation initiatives for the diamond industry announced by the World Diamond Council, and recognizing that a system of such voluntary self-regulation will contribute, as described in the Interlaken Declaration of 5 November 2002 on the Kimberley Process Certification Scheme for Rough Diamonds,[2] to ensuring the effectiveness of national systems of internal control for rough diamonds,

Appreciating in this regard the decision taken by the plenary meeting of the Kimberley Process, held in Gaborone from 6 to 9 November 2006, based on calls from participants, civil society and the World Diamond Council urging stronger

[1] See A/57/489.

[2] Ibid., annex 2.

internal control standards for participants, together with measures offering clearer guidance on implementing effective controls from mine to export, stronger government oversight of the diamond industry, and spot checks of industry compliance,

Noting with appreciation that the Kimberley Process has pursued its deliberations on an inclusive basis, involving concerned stakeholders, including producing, exporting and importing States, the diamond industry and civil society, as well as applicants,

Recognizing that State sovereignty should be fully respected and that the principles of equality, mutual benefits and consensus should be adhered to,

Recognizing also that the Kimberley Process Certification Scheme, which came into effect on 1 January 2003, will be credible only if all participants have requisite national legislation coupled with effective and credible internal systems of control designed to eliminate the presence of conflict diamonds in the chain of producing, exporting and importing rough diamonds within their own territories, while taking into account that differences in production methods and trading practices, as well as differences in institutional controls thereof, may require different approaches to meeting minimum standards,

1. *Reaffirms* its strong and continuing support for the Kimberley Process Certification Scheme[1] and the Kimberley Process as a whole;

2. *Recognizes* that the Kimberley Process Certification Scheme can help to ensure the effective implementation of relevant resolutions of the Security Council containing sanctions on the trade in conflict diamonds, and act as a mechanism for the prevention of future conflicts; and calls for the full implementation of existing Security Council measures targeting the illicit trade in rough diamonds, particularly conflict diamonds which play a role in fuelling conflict;

3. *Also recognizes* the important contributions that the international efforts to address the problem of conflict diamonds, including the Kimberley Process Certification Scheme, have made to the settlement of conflicts and the consolidation of peace in Angola, the Democratic Republic of the Congo, Liberia and Sierra Leone;

4. *Takes note* of Security Council resolution 1643 (2005) which calls upon the States in the West Africa region that are not participants in the Kimberley Process to intensify their efforts to join the Kimberley Process, stresses that the widest possible participation in the Kimberley Process Certification Scheme is essential and encourages all Member States to contribute to the work of the Kimberley Process by seeking membership, participating actively in the Kimberley Process Certification Scheme and complying with its undertakings;

5. *Takes note with appreciation* of the report of the Chair of the Kimberley Process submitted pursuant to resolution 60/182 of 20 December 2005,[3] and congratulates the Governments, the regional economic integration organization, the diamond industry and civil society participating in the Kimberley Process for contributing to the development, implementation and monitoring of the Kimberley Process Certification Scheme;

[3] A/61/589, annex.

6. *Notes* the decision of the General Council of the World Trade Organization of 15 May 2003 granting a waiver with respect to the measures taken to implement the Kimberley Process Certification Scheme, effective from 1 January 2003 to 31 December 2006;[4] and the decision of the General Council of 17 November 2006 granting an extension of the waiver through 31 December 2012;[5]

7. *Notes with satisfaction* that in line with paragraph 7 of its resolution 60/182, the preliminary development of "footprints" that characterize diamond production from Côte d'Ivoire has been undertaken; and encourages expeditious commencement of further work to develop similar footprints for other diamond producers;

8. *Notes with appreciation* the contribution of the Kimberley Process in preparing a detailed assessment of the volume of rough diamonds produced in and exported from Côte d'Ivoire as requested by Security Council resolution 1643 (2005); and recognizing the cooperation between the Kimberley Process and the United Nations Operation in Côte d'Ivoire, calls for the full implementation of the resolution on the subject of illicit diamond production in Côte d'Ivoire adopted by the plenary meeting of the Kimberley Process, held in Moscow from 15 to 17 November 2005, and encourages continued cooperation between the Kimberley Process and the United Nations in tackling this issue;

9. *Also notes with appreciation* the action taken by the Kimberley Process to address concerns raised in the context of the report of the Group of Experts on Côte d'Ivoire[6] submitted to the Security Council involving allegations that Ivorian diamonds were entering legitimate trade through third countries;

10. *Welcomes* the establishment of a new Working Group of the Kimberley Process on Artisanal Alluvial Production under the chairmanship of Angola, which will address issues of particular concern to artisanal alluvial producers and further contribute to the implementation of the existing declaration on improving internal controls over alluvial diamond production, and encourages potential donors to provide capacity-building assistance to further the effective implementation of the Kimberley Process Certification Scheme;

11. *Notes with appreciation* the contribution of the Kimberley Process and of its Chair to the work of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia, including the submission of a report on the results of the Kimberley Process expert mission to Liberia, as well as the progress made by Liberia towards putting in place the necessary internal controls and other requirements in order to satisfy the minimum requirements of the Kimberley Process pursuant to Council resolution 1521 (2003), welcomes the contributions of the United Nations Mission in Liberia, the United States of America and other donors to these efforts, and encourages all those in a position to assist Liberia, to do so;

12. *Also notes with appreciation* the conclusions of the three-year review of the Kimberley Process Certification Scheme and the recommendations adopted by the plenary meeting of the Kimberley Process, held in Gaborone from 6 to

[4] See World Trade Organization, document WT/L/518. Available from http://docsonline.wto.org.

[5] See World Trade Organization, document G/C/W/559/Rev.1. Available from http://docsonline.wto.org.

[6] S/2006/735 of 5 October 2006.

9 November 2006, and notes that the timely implementation of these recommendations will strengthen and consolidate the Process and therefore encourages the timely implementation of those recommendations;

13 *Recognizes* that the peer review mechanism and the collection and submission of statistical data are critical monitoring tools essential for effective implementation of the Kimberley Process Certification Scheme, and in this respect:

(a) Welcomes the important progress made in the implementation of the peer review mechanism in the Kimberley Process Certification Scheme, encourages all remaining participants to receive voluntary review visits, and notes with appreciation the intention of the Kimberley Process to commence a second round of review visits in 2007;

(b) Also welcomes the progress made towards the collection and submission of statistical reports on the production and trade in rough diamonds, encourages all of the Kimberley Process participants to enhance the quality of data, and to this end applauds the decision of the plenary meeting held at Gaborone to release Kimberley Process summary data on trade and production, by value and volume, and certificate counts for 2004 and 2005 data;

14. *Notes with appreciation* the assistance and capacity-building efforts extended by various donors and encourages other donors to provide financial and technical expertise to Kimberley Process participants to help them develop tighter monitoring and control measures;

15. *Acknowledges with great appreciation* the important contribution that Botswana, as Chair of the Kimberley Process in 2006, has made to the efforts to curb the trade in conflict diamonds, and welcomes the succession of the European Community as Chair and India as Vice-Chair of the Process for 2007;

16. *Requests* the Chair of the Kimberley Process to submit a report on the implementation of the Process to the General Assembly at its sixty-second session;

17. *Decides* to include in the provisional agenda of its sixty-second session the item entitled "The role of diamonds in fuelling conflict".